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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

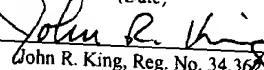
Applicant : Leonard Forbes  
Appl. No. : 09/939,417  
Filed : August 24, 2001  
For : VERTICAL TRANSISTOR  
WITH HORIZONTAL GATE  
LAYERS  
Examiner : Kenelt Pierre

Group Art Unit 2822

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Dear Sir:

In response to the Examiner's Office Action mailed March 11, 2002, please amend the above-identified application as follows:

IN THE CLAIMS:

  
Please cancel Claims 23-24 without prejudice.

REMARKS

In response to a restriction requirement, Applicant elects to proceed with the prosecution of Claims 1-22 (Group I) on the merits without prejudice to canceled Claims 23-24 (Group II).

In view of the forgoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain to be resolved, the Examiner is cordially invited to contact the undersigned such that any remaining issues may

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be promptly resolved. Also, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 3/26/02

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